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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, NORTHERN DIVISION**

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UNITED STATES OF AMERICA,  
  
Plaintiff,

vs.

BREANNE JANETTE WELLS,  
  
Defendant.

Case No. 1:20-CR-00080-RJS

**MOTION FOR  
ORDER OF FORFEITURE**

Chief Judge Robert J. Shelby

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Pursuant to Fed R. Crim. P. Rule [32.2\(b\)](#), the United States of America respectfully submits this Motion for Order of Forfeiture. In support of this motion, the government states:

1. On September 16, 2021, a Federal Grand Jury in the District of Utah, returned an Indictment charging the defendant, Breanne Janette Wells with Possession with Intent to Distribute Methamphetamine, Heroin and Cocaine (Counts 1, 2, and 3) in violation of [21 U.S.C. § 841\(a\)\(1\)](#). Dkt No. 1.

2. The Court's jurisdiction in this matter is founded in [28 U.S.C. § 1355](#). The United States sought forfeiture pursuant to [21 U.S.C. § 853](#).

3. On April 9, 2021, the defendant plead guilty to Counts 1 and 2 of the Indictment. In her plea agreement, the defendant agreed to forfeit \$9,547 in United States currency. Dkt No. 40.

4. As a result of the plea of guilty to Counts 1 and 3 of the Indictment, the defendant must forfeit to the United States any and all property constituting, or derived from, any proceeds

the defendant obtained, directly or indirectly, any property real or personal used, or intended to be used in any manner or part, to commit, or to facilitate the violation of [21 U.S.C. § 841\(a\)](#), including but not limited to:

- \$9,547.00 in United States currency.

5. Forfeiture of the above-identified property pursuant to [21 U.S.C. § 853](#) is appropriate based on the evidence presented in the Indictment, and the Statement in Advance of Plea. The United States has established the requisite nexus between the property and the offenses for which the defendant plead guilty.

6. In accordance with Fed. R. Crim. P. [32.2\(b\)\(3\)](#), the United States requests that it be permitted to undertake whatever discovery is necessary to identify, locate, or dispose of property subject to forfeiture.

WHEREFORE, the United States respectfully requests that this Court enter an Order of Forfeiture, forfeiting to the United States the property described herein and in the Indictment, and order the Federal Bureau of Investigation (or designee) to maintain custody of the forfeited property in accordance with the law.

Dated this 21<sup>st</sup> day of April, 2021.

ANDREA T. MARTINEZ  
Acting United States Attorney

/s/ *Cy H. Castle*

CY H. CASTLE  
Assistant U.S. Attorney